

Dated: June 28, 2017



*Daniel P. Collins*  
 Daniel P. Collins, Chief Bankruptcy Judge

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8 **IN THE UNITED STATES BANKRUPTCY COURT**  
 9 **IN AND FOR THE DISTRICT OF ARIZONA**

In re

Case No. 2:17-bk-01372-DPC

10 **ROBERT L GREEN**  
 11 **TERESA A GREEN**

In Proceedings Under Chapter 13

12 STIPULATED ORDER CONFIRMING  
 13 CHAPTER 13 PLAN AND APPLICATION  
 14 FOR PAYMENT OF ADMINISTRATIVE  
 15 EXPENSES

Debtors.

16 The Chapter 13 Plan having been properly noticed out to creditors and any objection to  
 17 confirmation having been resolved,

18 **IT IS ORDERED** confirming the Chapter 13 Plan of the Debtors as follows:

19 (A) **INCOME SUBMITTED TO THE PLAN.** Debtors shall submit the following amounts  
 20 of future income to the trustee for distribution under the Plan.

21 (1) Future Earning or Income. Debtors shall make the following monthly plan payments:

<u>Months</u>	<u>Amount</u>
1-4	\$681.00
5-60	\$742.00

22 The payments are due on or before the 15<sup>th</sup> day of each month commencing March,  
 23 2017. Debtors is advised that when payments are remitted late, additional interest may accrue  
 24 on secured debts, which may result in a funding shortfall at the end of the Plan term.

25 Any funding shortfall must be cured before the plan is deemed completed. The Debtors  
 26 shall provide, directly to the Trustee copies of their **federal and state** income tax returns for the  
 post-petition years within 30 days of filing them. The purpose is to assist in the Trustee in  
 determining any change in debtor's annual disposable income.

1 (2) Other Property. The Debtors shall provide, directly to the Trustee their net federal and  
2 state income tax refunds for tax year 2017, 2018 and 2019 as a supplement to the plan. In the  
3 event that other property is submitted, it shall be treated as supplemental payments.

4 (B) **DURATION**. This Plan shall continue for 60 months from the first regular monthly  
5 payment described in Paragraph (A)(1) above. If at any time before the end of the Plan period  
6 all claims are paid, then the Plan shall terminate.

7 (C) **CLASSIFICATION AND TREATMENT OF CLAIMS**. Claims shall be  
8 classified and paid as listed below. The Plan and this Order shall not constitute an informal  
9 proof of claim for any creditor. The Trustee shall receive the percentage fee on the Plan  
10 payments pursuant to 28 U.S.C. § 586(e), then the Trustee will pay creditors in the following  
11 order:

12 (1) Administrative expenses:

13 Attorney Fees: Adam Hauf shall be allowed total compensation of \$4,500.00. Counsel  
14 received \$1,700.00 prior to filing this case and will be paid \$2,800.00 by the Chapter  
15 13 Trustee.

16 (2) Claims Secured by Real Property:

17 A. Cardinal Financial Company, LP, secured by a deed of trust in the Debtor's  
18 real property, shall be paid the prepetition arrearage of \$4,847.51 with 0%  
19 interest. Regular post-petition payment will be made directly by the Debtor to  
20 the secured creditor.

21 (3) Claims Secured by Personal Property:

22 A. Vantage West CU, secured by a lien in the Debtor's 2015 Nissan Altima  
23 automobile, shall be paid \$27,370.35 through the plan with 5.25% interest. The  
24 creditor will receive adequate protection payments of \$125.00 per month. The  
25 balance of the debt shall be classified as unsecured.

26 (4) Unsecured Priority Claims:

A. NONE

(5) Surrendered Property. Upon confirmation of this plan or except as otherwise  
ordered by the Court, bankruptcy stays are lifted as to collateral to be  
surrendered. Such creditor shall receive no distribution until the creditor timely  
files a claim or an amended proof of claim that reflects any deficiency balance  
remaining on the claim. Assuming the creditor has an allowed proof of claim,  
should the creditor fail to file an amended claim consistent with this provision,  
the Trustee need not make any distributions to that creditor. Debtors surrender the  
following property:

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A. NONE

(6) Other Provisions:

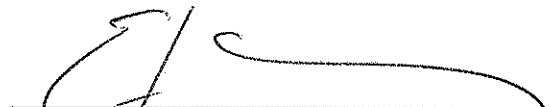
A. NONE

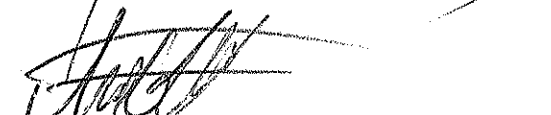
(7) Unsecured Non-priority Claims. Claims allowance is determined by § 502 and the Federal Rules of Bankruptcy Procedure. Allowed unsecured claims shall be paid pro rate the balance of the payments under the plan and any unsecured debt balance remaining unpaid upon completion of the Plan may be discharged as provided in 11 U.S.C. § 1328.

(D) EFFECTIVE DATE AND VESTING. The effective date of the Plan shall be the date of this Order. Property of the estate vests in Debtor upon confirmation.

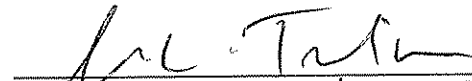
**DATED AND SIGNED ABOVE**

Approved as to Form and Content By:

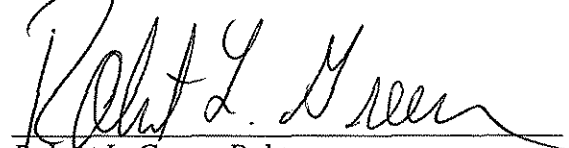
  
\_\_\_\_\_  
Edward J. Maney, Trustee

  
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Adam E. Hauf, Attorney for Debtor

1 SHAPIRO, VAN ESS AND SHERMAN, LLP

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5 JASON P SHERMAN & Lydia R. Tulin  
6 Attorneys for Cardinal Financial Company, LP  
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1           The Debtors certify: All required State and Federal income tax returns have been filed.  
2 No Domestic support obligation is owed or, if owed, such payments are current since the  
3 filing of the Petition.

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5 Robert L. Green, Debtor

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8 Teresa A. Green, Joint Debtor  
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